

# Comhairle Chontae Atha Cliath Theas

**PR/0442/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22A/0041      **Application Date:** 10-Feb-2022  
**Submission Type:** New Application      **Registration Date:** 10-Feb-2022

**Correspondence Name and Address:** Harry McLauchlan Building 2, Swift Square,  
Northwood Park, Northwood, Dublin 9

**Proposed Development:** Retention for the continued use of the existing 25  
metre high free standing monopole communication  
structure carrying antenna and communication dishes  
(total height including antenna 28 metres) within an  
existing 2.4m high palisade compound previously  
granted temporary permission SD16A/0164

**Location:** ESB Telecoms Ltd Compound, Nangor Road,  
Clondalkin, Dublin 22

**Applicant Name:** ESB Telecoms Ltd.

**Application Type:** Retention

(EW)

### **Description of Site and Surroundings:**

Site Area: 0.1 Hectares.

#### Site Description:

The subject site is located in an existing enclosed compound, on Upper Nangor Road, south of New Nangor Road. The subject site contains an existing telecommunications mast within a fenced compound. The site is visible from the New Nangor Road to the north and the Outer Ring Road to the west. The area in the vicinity of the site is open in character, with Scoil Mochua 120m to the east and residential development 350m to the east of the site. Lands surrounding and to the south of the site are undeveloped.

#### **Proposal:**

Retention for the continued use of the existing 25-metre-high free standing monopole communication structure carrying antenna and communication dishes (total height including antenna 28 metres) within an existing 2.4m high palisade compound previously granted temporary permission SD16A/0164

#### **Zoning:**

The proposed site is subject to zoning objective RES 'To protect and/or improve residential amenity'.

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### **Consultations:**

Surface Water –	No objections, standard conditions apply.
Water –	<i>Not Applicable.</i>
Roads Section –	No objections.
Heritage Officer-	<i>No comments at time of report.</i>
Parks Department –	No objections.
TII	No objections.
Irish Aviation Authority	<i>No comments at time of report.</i>
Department of Defence	<i>No comments at time of report.</i>

### **Submissions/Observations /Representations**

None received

### **Relevant Planning History**

#### Subject site

*SD16A/0164 Planning Retention permission granted to and continue use of existing 29.6m high monopole communication structure within an 86sq.m fenced compound.*

*SD11A/0093 Planning permission granted to (a) retain existing 29.6m high monopole communication structure within an 86msq fenced compound, (b) attach 3 x 1 metre antennae and 2 x 0.3 metre dishes to allow for future third party co-location.*

*SD06A/0344 Permission granted, subject to conditions for *Erection of a 25 metre high, free standing monopole communications structure, carrying antennae and communication dishes with associated ground-mounted equipment cabinets (exempted development) to share with other licensed operators within an existing 2.4 metre high palisade compound at ESB's existing Nangor Road telecommunications site.**

*SD08A/0063 Permission granted, subject to conditions for *Attachment of 3 3.9m omni antennas with associated equipment and cabinet to existing 25m monopole for use by the emergency services (Garda, Ambulance and Fire Brigade) for new National Digital Radio Service (NDRS). The 3.9m omni antennas will protrude above the existing height of the 25m monopole giving a total height of 29.6m.**

#### Adjacent sites

*SD07A/0492 (An Bord Pleanála ref 06S.228979) permission granted subject to conditions for *Mixed use development to include the construction of the following: new national resource centre to provide for respite accommodation, social and recreational facilities, treatment rooms, ESB sub station and associated switchroom and creche accommodation in a three storey block (3625sq.m.) over basement car parking and ancillary storage areas (Block A); 24 no. 3 bed duplex apartments, 6 no. 3 bed apartments, 39 no. 2 bed apartments (including 4 no. with**

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*mezzanine), and 18 no. 1 bed apartments (6 no. with mezzanine) all with balconies/patios and arranged in 3 no. 3 part 4 storey blocks (Blocks B, C, D); 25 no. 3 bed houses (overall total 112 no. residential units); bin storage and bicycle parking; the diversion of existing overhead cables, all associated site and landscaping works including new boundary walls and fences; the provision of a new vehicular entrance from Old Nangor Road and new pedestrian entrance from New Nangor Road; surface car parking; all on a site of 1.77ha.*

### **Relevant Enforcement History**

None recorded for subject site.

### **Pre-Planning Consultation**

None found.

### **Relevant Policy in South Dublin County Council Development Plan 2016-2022**

#### 7.4.0 Information and Communications Technology

#### INFRASTRUCTURE & ENVIRONMENTAL QUALITY (IE) Policy 4 Information and Communications Technology (ICT)

It is the policy of the Council to promote and facilitate the sustainable development of a high-quality ICT network throughout the County in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas.

#### IE4 Objective 1:

To promote and facilitate the provision of appropriate telecommunications infrastructure, including broadband connectivity and other innovative and advancing technologies within the County.

#### IE4 Objective 2:

To co-operate with the relevant agencies to facilitate the undergrounding of all electricity, telephone, and television cables in urban areas wherever possible, in the interests of visual amenity and public health.

#### IE4 Objective 3:

To permit telecommunications antennae and support infrastructure throughout the County, subject to high quality design, the protection of sensitive landscapes and visual amenity.

#### IE4 Objective 4:

To discourage a proliferation of telecommunication masts in the County and promote and facilitate the sharing of facilities.

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### IE4 Objective 5:

To actively discourage the proliferation of above ground utility boxes throughout the County and to promote soft planting around existing ones and any new ones that cannot be installed below the surface to mitigate the impact on the area.

### IE4 Objective 6:

To require the identification of adjacent Public Rights of Way and established walking routes by applicants prior to any new telecommunication developments (including associated processes) and to prohibit telecommunications developments that impinge thereon or on recreational amenities, public access to the countryside or the natural environment.

### 11.6.2 Information and Communications Technology

In the consideration of proposals for telecommunications antennae and support structures, applicants will be required to demonstrate:

- Compliance with the Planning Guidelines for Telecommunications Antennae and Support Structures (1996) and Circular Letter PL 07/12 issued by the DECLG (as may be amended), and to other publications and material as may be relevant in the circumstances,
- On a map, the location of all existing telecommunications structures within a 2km radius of the proposed site, stating reasons why (if not proposed) it is not feasible to share existing facilities having regard to the Code of Practice on Sharing of Radio Sites issued by the Commission for Communications Regulation (2003),
- Degree to which the proposal will impact on the amenities of occupiers of nearby properties, or the amenities of the area (e.g. visual impacts of masts and associated equipment cabinets, security fencing treatment etc.) and the potential for mitigating visual impacts including low and mid-level landscape screening, tree-type masts being provided where appropriate, colouring or painting of masts and antennae, and considered access arrangements, and
- The significance of the proposed development as part of the telecommunications network.

### **Relevant Ministerial Guidelines**

***Circular Letter PL 07/12 - Telecommunications Antennae and Support Structure Guidelines***, Department of Environment, Community and Local Government (October 2012).

Revised elements of the Telecommunications Guidelines 1996 including:

#### *2.2 Temporary Permissions*

'Only in exceptional circumstances where particular site or environmental conditions apply, should a permission issue with conditions limiting their life'.

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### *2.3 The Development Plan and Separation Distances*

#### *2.4 Bonds for Removal of Redundant Structures*

'in general, future permissions should simply include a condition stating that when the structure is no longer required it should be demolished, removed and the site re-instated at the operators' expense'.

#### *2.5 Register or Database*

'It is recommended that a register of approved telecommunications structures supported by relevant databases be created and maintained by each planning authority in cooperation with operators.

#### *2.6 Health and Safety Aspects*

'Planning authorities should be primarily concerned with the appropriate location and design of telecommunications structures and do not have competence for health and safety matters in respect of telecommunications infrastructure. These are regulated by other codes and such matters should not be additionally regulated by the planning process.'

***Telecommunications Antennae and Support Structures Guidelines for Planning Authorities – Department of Environment & Local Government (1996).***

*Section 1* states that in order to avoid unnecessary proliferation of masts, owners would be expected to facilitate co-location of antennae with other operators and planning authorities should encourage co-location of antennae on existing support structures and masts.

*Section 2.3.1 Antennae* Sets out guidelines for antennae and states that such structures can be mounted on buildings in urban areas but generally require supporting masts or towers in rural and suburban areas due to the low rise nature of buildings in these areas.

Section 2.4 recognises that in some instances it may be technically possible for operators to share facilities or owners of antennae support structures

*Section 4.3 Visual Impact* States that in the vicinity of larger towns and in city suburbs operators should endeavour to locate in industrial estates or in industrial zoned land. It is noted that substations operated by the ESB may be suitable for the location of antennae support structures.

*Section 4.5 Sharing Facilities & Clustering* All applicants will be encouraged to share and will have to satisfy the authority that they have made a reasonable effort to share. Support structures used by emergency or other essential services are not suitable for sharing with public mobile telephone services.

*Section 4.6 Health & Safety Aspects*

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*Section 4.7 Obsolete Structures*

*Section 4.8 Duration of Permission*

### **Assessment**

The main issues for consideration are compliance with zoning and Council policy, compliance with Telecommunications Guidelines, co-location opportunities, context/visual impact, proximity to residential development and public health, drainage traffic, landscaping.

### ***Zoning and Council Policy***

The site is located in an area which is zoned 'RES 'To protect and/or improve residential amenity'. 'Public Services' are permitted in principle under the zoning objective of the area. The proposed development would represent the ongoing use of previously permitted 25 metre telecommunications support structure (monopole design) previously granted under planning Ref. SD16A/0164. The principle of the proposed development is considered to be consistent with the zoning at this location.

The County Development Plan contains detailed policies in relation to communications and broadly supports the strategic development of the network. In particular, *'It is the policy of the Council to promote and facilitate the sustainable development of a high-quality ICT network throughout the County in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas'*. The impact of the proposed development on the visual and residential amenities are assessed later in this report.

### **Visual Impact**

The proposed development would represent the retention of previously permitted 25 metre telecommunications support structure (monopole design) previously granted permission under planning Ref. SD16A/0164. The development that has been previously granted permission, has therefore an established use at this location for the 25-metre monopole structure with its associated equipment within an existing 2.4m high palisade compound.

The principle of the proposed development is considered to be consistent with the 'RES' zoning at this location. The communications structure has a significant height at 25metres and would be visible from a variety of vantage points in the surrounding area.

Given the sites location it is considered that it would not be visually harmful. The 86msq fenced compound containing the telecommunications structure and associated equipment is surrounded by mature trees and bushes, largely obscuring the base of the mast and equipment cabinet from view.

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The telecommunications pole is highly visible from the New Nangor Road and Outer Ring Road, but very limited views exist from the Nangor Road. The overall height of the telecommunications structure and associated antennae is 28m. Co-location of antennae on existing support structures and masts is encouraged by the Planning Authority, this will be **conditioned** in the event of a grant of permission. The ground equipment would be located behind an existing palisade fence with the presence of shrubs and foliage and therefore would not be overly visible. Having regard to the location of the subject site and its semi-rural open and undeveloped context, the telecommunications development for retention is visually acceptable.

### ***Roads***

A report was received from the Roads Department, which states no objections with no recommendations.

### ***Residential Amenity and Public Health***

The closest residential properties are located across the New Nangor Road to the north and further east of the site. Due to the separation distances involved it is considered that the structure would not appear overbearing and therefore would not be materially harmful. Conditions regarding noise levels and audible/impulsive tones at sensitive locations are recommended in the event that permission is granted.

### ***Duration of permission***

The 1996 ministerial guidelines relating to telecommunications antennas encouraged planning authorities to grant permission on a temporary basis for telecommunications masts. The government's rationale until 2012 was that technological developments might allow for fewer, or smaller, masts in the future. In 2012, the government issued '*Circular Letter PL 07/12 - Telecommunications Antennae and Support Structure Guidelines*', which altered the recommended policy and directed planning authorities to make permanent planning decisions regarding telecommunications masts, unless there are exceptional circumstances to justify a temporary grant of permission. Therefore, based on current guidelines it is not considered necessary to restrict any grant of permission to a specific time period.

### ***Aviation Safety***

The Irish Aviation Authority and Dept. of Defence were both formally consulted however no objection or report has been received to date to the retention proposal. Having regard to this large open site with the pattern of development in the surrounding area, the retention of the monopole structure is deemed acceptable at this location.

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### ***Water Services***

A report was received from SDCC Water Services Department and Irish Water, which states no objections, the subject does not affect water supply however standard drainage conditions shall apply for surface water in the event of a grant of permission.

### ***Development Contributions***

The proposed development relates to the retention of a 25m high telecommunications, associated antennae, and ground equipment. The development is classed as public services and therefore development contributions should not apply.

### **SEA Monitoring**

Telecommunications – N/A

Land Type – Brownfield

Site Area – 0.1 Hectares.

### **Conclusion**

Having regard to the provisions of the South Dublin County Development Plan 2016-2022, the RES Zoning objective and the established context of the monopole structure on the application site, it is considered that, subject to compliance with the conditions set out below, the retention proposal would not seriously injure the visual amenities of the area and would not be contrary to the proper planning and sustainable development of the area.

### **Recommendation**

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for Retention for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

## **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.



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### **SECOND SCHEDULE**

#### **Conditions and Reasons**

1. Development to be in accordance with submitted plans and details.  
The development shall be retained and completed fully in accordance with plans, particulars and specifications lodged with the application, save as may be required by other conditions attached hereto.  
REASON: To ensure that the development is in accordance with the permission and that effective control is maintained.
2. Reinstatement of Site.  
When the structure is no longer required it should be demolished, removed and the site reinstated at the operators' expense.  
REASON: In the interests of visual amenities and orderly development.
3. Co-location  
The developer shall allow, subject to reasonable terms, other licensed mobile telecommunications operators to co-locate their antennae onto the telecommunications structure hereby approved.  
REASON: In order to avoid the proliferation of telecommunications structures in the interest of visual amenity.
4. Surface water.  
All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

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**REG. REF. SD22A/0041**

**LOCATION: ESB Telecoms Ltd Compound, Nangor Road, Clondalkin, Dublin 22**

*Colm Harte*  
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**Colm Harte,**  
**Senior Executive Planner**

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for Retention for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

**Date: 06/04/2022**

*jjohnston*  
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**Jim Johnston,**  
**Senior Executive Planner**